

Minges, Allison

From: Dulin, Rebecca Jean <Rebecca.Dulin@duke-energy.com>
Sent: Tuesday, March 30, 2021 5:01 PM
To: Butler, David; Nelson, Jeff; Grube-Lybarker, Carri; Hall, Roger
Cc: Wessinger-Hill, JoAnne; PSC_Contact; Pratt, Douglas
Subject: RE: [EXTERNAL] Docket Nos. 2021-73-E, 2021-74-E, and 2021-75-E - Power Purchase Agreements, Request for Commission to Accept for Filing, and Request for Confidential Treatment of Agreement and/or Certain Portions of Agreement

David,

Thank you for bringing this issue to our attention. We will file revised Purchase Power Agreements with amended redactions that make public the information identified in your email no later than Monday April 5, 2021.

Please let me know if you have any further questions or need anything additionally from DEC/DEP on these contracts.

Regards,
 Rebecca

From: Butler, David <David.Butler@psc.sc.gov>
Sent: Thursday, March 25, 2021 9:58 AM
To: Dulin, Rebecca Jean <Rebecca.Dulin@duke-energy.com>; Nelson, Jeff <jnelson@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>
Cc: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; PSC_Contact <Contact@psc.sc.gov>; Pratt, Douglas <Douglas.Pratt@psc.sc.gov>
Subject: RE: [EXTERNAL] Docket Nos. 2021-73-E, 2021-74-E, and 2021-75-E - Power Purchase Agreements, Request for Commission to Accept for Filing, and Request for Confidential Treatment of Agreement and/or Certain Portions of Agreement

Very good. Thanks, Rebecca.
 David Butler

From: Dulin, Rebecca Jean <Rebecca.Dulin@duke-energy.com>
Sent: Thursday, March 25, 2021 9:36 AM
To: Butler, David <David.Butler@psc.sc.gov>; Nelson, Jeff <jnelson@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>
Cc: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; PSC_Contact <Contact@psc.sc.gov>; Pratt, Douglas <Douglas.Pratt@psc.sc.gov>
Subject: RE: [EXTERNAL] Docket Nos. 2021-73-E, 2021-74-E, and 2021-75-E - Power Purchase Agreements, Request for Commission to Accept for Filing, and Request for Confidential Treatment of Agreement and/or Certain Portions of Agreement

David,

Thanks for the email. I am looking into these questions and will get back with you soon.

Thanks,
 Rebecca

From: Butler, David <David.Butler@psc.sc.gov>

Sent: Thursday, March 25, 2021 9:08 AM

To: Dulin, Rebecca Jean <Rebecca.Dulin@duke-energy.com>; Nelson, Jeff <jnelson@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>

Cc: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; PSC_Contact <Contact@psc.sc.gov>; Pratt, Douglas <Douglas.Pratt@psc.sc.gov>

Subject: [EXTERNAL] Docket Nos. 2021-73-E, 2021-74-E, and 2021-75-E - Power Purchase Agreements, Request for Commission to Accept for Filing, and Request for Confidential Treatment of Agreement and/or Certain Portions of Agreement

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To Counsel for Duke Energy Carolinas, LLC and the parties:

As you may have noticed, the Commission carried over these items in its business meeting of March 24, 2021. The problem is the request for confidentiality in each item.

In the definitions section of each document, Item 1.34 defines the facility and is redacted.

In Item 2, the facility address is redacted.

In Item 3, the description of the facility is redacted.

In Item 4, the Nameplate Capacity Rating is redacted.

Our Staff Engineer noted that the Draft Environmental Impact Assessment ("EIA"), which is available online from FERC, contains the general location of the plants, i.e. their location by county and by river, and aerial photos of the site locations. The EIA also provides detailed descriptions of the facilities including the number and type of generators and their authorized installed capacity.

In summary, some of the information contained in the requests for confidentiality appears to be publicly available. The Commission will, of course, rule on the confidentiality issue in whatever way it deems appropriate, but the public availability of this data may affect how the Commission views the Duke requests for confidentiality in these Dockets. I would ask counsel for Duke to please comment on this issue on or before the close of business on Thursday, April 1, 2021. Also, any other party may also comment, if appropriate, subject to the same deadline.

Thank you for your help and consideration in this matter.

Regards,

David Butler

Chief Hearing Officer

Public Service Commission of South Carolina